

ENVIRONMENT DEPARTMENT

Planning, Transport and Health Service

Head of Planning, Transport and Health Service . Richard Rawes . BA Hons . MICE C.Eng Dip TE

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Stephen Bilham
Deacon Blue
69 Endell Street
London
WC2Our Reference: PL/9238015/
Case File No: P14/24/5
Tel. Inqu:
Mr. Aaron Nhuka ext. 2410

Date: 20 DEC 1993

Dear Sir(s)/Madam,

Highways Act 1980 (as amended by the Local Government (Miscellaneous Provisions) Act 1982)).

Application for consent to provide amenities on a public highway.

Re: 69 Endell Street, WC2.

Proposal : The placing of 2 tables and 8 chairs on the public highway.

as shown on one unnumbered drawing

Date of Application: 7th May 1992

The Council, in pursuance of its powers under Section 115E of the Highways Act 1980 (as amended) hereby grants consent for the above-named amenities to be provided on the public highway. The Council's consent is subject to full compliance with the conditions set out below.

Your attention is drawn to the limited period for the provision of the amenities (~~Condition (01)~~) which starts from the date of this consent. The amenities shall be removed at the expiry of the limited period unless a further application, to retain the amenities, has been granted consent.

Condition(s):

- 01 The applicant shall not in any way interfere with the surface of the public highway.
- 02 It is intended that a defined area will be marked on the public highway by the Council. When these markings are provided, the amenities must be sited within them but, in any event, a minimum clear footway width of 1.8 metres is to be provided at all times for through pedestrian movement.
- 03 The applicant shall indemnify the Council from and against any claim in respect of any injury, damage or loss arising directly or indirectly out of the grant of this consent and the use by the public of the amenities.
- 04 The applicant shall be responsible for keeping the public highway in a clean and tidy state by removing rubbish and sweeping the area of the public highway used under this consent at the end of each day and, if requested to do so by the Council, provide mobile litter bins on the public highway in such positions and for such time periods as the Council may specify.
- 05 The applicant shall remove the amenities from the public highway immediately if requested to do so by the Council, its agents, contractors or licencees, or by a Statutory Undertaker, its agents or contractors, or by a Police Officer, if unimpeded access to the surface of the public highway is required to enable the Council, the Statutory

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- Undertaker or the Police to carry out any of their statutory duties or to enable a licensee of the Council to put into effect the terms of the licence. The applicant shall not re-position the amenities on the public highway until notified by the Council, the Statutory Undertaker, or the Police, that he/she may do so.
- 06 If the Council serves a Notice on the applicant requiring him to take such steps as are necessary to remedy any breach of the terms of this consent, and the applicant fails to comply with the Notice, the Council may itself take the steps required by the Notice and recover from the applicant any expenses incurred.
 - 07 This consent may be withdrawn by the Council at any time upon the Council giving to the applicant seven days' notice in writing. Upon withdrawal of the consent the applicant shall remove the amenities from the public highway and, in default, the Council may remove the amenities and recover from the applicant its costs in so doing.
 - 08 Any Notice to be given to the applicant shall be deemed sufficiently served if addressed to the applicant and sent by post or left at the premises.
 - 09 Except with the written consent of the Council the amenities are to be placed on the public highway only between the hours of 8.00am and 6.30pm on Mondays to Saturdays; they shall be removed from the public highway when not in use.
 - 10 The consent hereby granted is for the period April 1st - October 31st for the year of issue of the decision letter only.
 - 11 The consent hereby granted is for a period of one year from the date of this decision letter, but within that period, amenities must not be placed on the highway between 1st November and 31st March. *

Informative(s):

- 01 This consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Highways Act 1980 (as amended).

Yours faithfully,

Head of Planning, Transport & Health Services
(Duly authorised by the Council to sign this document)